

### **REMARKS**

Claims 1-14 and 25-38 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the remarks contained herein.

### **REJECTION UNDER 35 U.S.C. § 112**

Claim 25 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention. This rejection is respectfully traversed.

Applicant has amended claim 25 according to the Examiner's suggestion. Therefore, reconsideration and withdrawal of the rejection of claim 25 are respectfully requested.

### **REJECTIONS UNDER 35 U.S.C. §§ 102 AND 103**

Claims 1-14 and 25-38 stand rejected under 35 U.S.C. § 102(b) as being anticipated by or, in the alternative under 35 U.S.C. § 103(a) as being unpatentable over Schmid et al. (U.S. Pat. No. 6,495,278, hereinafter "Schmid"). This rejection is respectfully traversed.

As indicated in response to the previous Office Action mailed November 28, 2006, Applicant notes that claims 1 and 25 each recite that the sealing layer of the fuel cell is adhered to land portions of the plate including the flow channels. In response, the present Office Action indicates that "[t]he Schmid et al. reference discloses the MEA can be adhered to the lands of which contacts the diffusion layer (Figure 5b, the lands

are at the perimeter of the separator plate) and around the perimeter of fluid manifold openings (Column 5, lines 5-8).” Schmid merely appears to disclose use of the adhesive for sealing an outer perimeter sealing region or bonding adjacent separator plates to one another. There is no teaching of the sealing layer being adhered to land portions of the plate including the flow channels.

However, in order to further clarify the land portions, claims 1 and 25 have been amended to recite “a plate having a first series of flow channels formed in a first surface and defining a first series of land portions disposed between and separating adjacent flow channels” and “a first sealing layer adhered to said land portions of said plate to secure said direct contact between said first diffusion media and said plate and to seal said first surface.” Even if the present characterization of Schmid by the Examiner properly teaches the previously claimed land portions, there is no teaching of a fuel cell where the land portions are disposed between adjacent flow channels and have an adhesive securing the diffusion media thereto, as claimed. Therefore, Applicant respectfully submits that claims 1 and 25 are in condition for allowance.

Claims 2-14 depend from claim 1 and claims 26-38 depend from claim 25 and should therefore be in condition for allowance for the reasons set forth above. Therefore, reconsideration and withdrawal of the rejection of claims 1-14 and 25-38 are respectfully requested.

## CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Dated: 6-13-07

Respectfully submitted,  
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